



August 28, 2017

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: *Ex Parte* Communication: WC Docket No. 17-144

Dear Ms. Dortch:

On August 24, 2017, Mike Skrivan of Consolidated Communications, Karen Brinkmann of Karen Brinkmann PLLC, Lynn Follansbee of USTelecom, and Genny Morelli and the undersigned of ITTA met with Travis Litman of the Office of Commissioner Rosenworcel regarding the above-captioned proceeding.¹

With respect to the petition for rulemaking regarding regulation of business data services for model-based rate-of-return carriers, we noted that there was only one comment substantively opposing the petition, and that comment was, in reality, an improper attempt to relitigate the Commission's actions with respect to business data services for price cap carriers. We discussed various elements of the petition, including that the petition is designed to remove one of the last vestiges of legacy rate-of-return regulation applicable to model-based rate-of-return carriers. We also asserted the need for such carriers to continue receiving CAF-ICC support and discussed the merits of the petition's associated request for an exception to the "all or nothing" rule, observing that the cost-shifting concerns underlying the all or nothing rule are not present here, and that the Commission has waived the all or nothing rule in the past in order to promote carriers transitioning towards price cap regulation. We expressed that we are eager for the Commission to release a Notice of Proposed Rulemaking seeking comment on the petition's proposals.

¹ *Wireline Competition Bureau Seeks Comment on Petition for Rulemaking Regarding Regulation of Business Data Services for Model-Based Rate-of-Return Carriers*, WC Docket No. 17-144, Public Notice, 32 FCC Rcd 4701 (WCB 2017); *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WC Docket No. 17-84, Notice of Proposed Rulemaking, Notice of Inquiry, and Request for Comment, 32 FCC Rcd 3266 (2017); *Connect America Fund*, WC Docket No. 10-90, Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 13775 (2016).

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Please do not hesitate to contact the undersigned with any questions regarding this submission.

Respectfully submitted,

/s/

Michael J. Jacobs
Vice President, Regulatory Affairs

cc: Travis Litman